

*#7186  
5/21/03*

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Harari et al.

Group Art Unit: 3732

Serial No.: 10/005,760

Filed: 11/12/01

Examiner: P. Philogene

For: Bone Suturing Device

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Alexandria, VA (rightfax number 703 872-9302) on:

May 19, 2003

Signature – Dorothy Kolden

Date

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This response is to the Office Action mailed April 18, 2003. The Office Action restricted claims 1-28 under 35 U.S.C. § 121 as follows:

- I. Claims 1-4, 10, 11, 20-26 are said to be drawn to a device for boring into bone, classified in class 606, subclass 80; and
- II. Claims 5-9 are said to a method of attaching a suture to a bone, classified in class 606, subclass 148; and
- III. Claims 12-14 are said to be drawn to detachable tip for a needle, classified in class 606, subclass 223.

Applicants elect the invention of Group I with traverse. Applicants respectfully submit that, at the very least, claims 15-19 and 27-28 should also be considered along with claims 1-4, 10, 11, 20-26 identified in the Office Action as corresponding to Group I. It is noted that parent serial number 09/476,682 included a restriction requirement.

USSN: 10/005,760

Docket No.: 687-456

Further, applicants submit that the restriction requirement will require applicants to file two additional applications in order to have all claims considered. This will require additional filing, prosecution and maintenance fees should the applications be granted. This represents a substantial burden to the owners of the present application. Applicants respectfully submit that the public would be better served if the restriction requirement were withdrawn or altered to include additional claims within Group I.

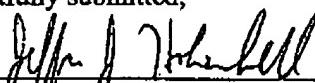
This response is being filed within one month of the Restriction Requirement (May 18, 2003 falls on a Sunday). There is no fee believed due for this response. If this is in error, please charge any fee required for the submission of this Response and the accompanying information disclosure statement to Deposit Account No 501921.

Examination and consideration of the application is requested.

Registration Number 34,109	Telephone Number 952-930-6135
Date May 19, 2003	

Respectfully submitted,

By

  
Jeffrey J. Hohenshell

American Medical Systems  
10700 Bren Road West  
Minnetonka, Minnesota 55343  
952 930 6135

10700 BRENT ROAD WEST  
MINNETONKA, MN 55343

MAIN PHONE: 952-933-4666

# FACSIMILE

DATE:	5/19/03	PAGES INCLUDING THIS COVER SHEET:	3
TO:	Examiner Philogene	FROM:	Jeff Holanshelf
COMPANY:	USPTO	SENDER'S PHONE:	952-930-6135
FAX:	703-872-9302	SENDER'S FAX:	952-930-6503
SUBJECT:	US Appl. 10/005, 760		

Please see attached response  
to restriction requirement

FAX RECEIVED  
MAY 19, 2003  
GROUP 3700

Confidentiality Notice: This message and its attachments may contain confidential information intended only for the use of the addressee(s) and may contain information that is legally privileged. If you are not the addressee, you are hereby notified that reading, disseminating, distributing or copying this facsimile is strictly prohibited. If you have received this facsimile in error, please inform us immediately by telephone and we will arrange for the return of the original document(s) to us.